

JANET STANEK
Acting Secretary of the Kansas Department of Health and Environment
And
XIMENA GARCIA
Acting State Health Officer

**STANDING ORDER FOR SARS-CoV-2 AND
HUMAN INFLUENZA A AND B TESTING IN
SCHOOLS PARTICIPATING IN KDHE TESTING PROGRAMS**

On March 13, 2020, the President of the United States pursuant to Sections 201 and 301 of the National Emergencies Act, 50 U.S.C. § 1601, et seq. and consistent with Section 1135 of the Social Security Act, as amended (42 U.S.C. § 1320b-5), declared a national emergency that the COVID-19 outbreak in the United States constitutes a national emergency beginning March 1, 2020.

The Kansas Department of Health and Environment (KDHE) oversees public health in the State of Kansas. The Secretary of the KDHE exercises general supervision of the health of the people of the state and may take action to prevent the introduction of infectious or contagious disease into this state and to prevent the spread of infectious or contagious disease within this state. K.S.A. 65-101(a). K.S.A. 65-128 also authorizes the Secretary of the KDHE to issue orders as may be medically necessary and reasonable to prevent the spread and dissemination of diseases injurious to the public health.

COVID-19 has been recognized as an infectious and contagious disease and a pandemic in the State of Kansas resulting in illnesses, quarantines, school closures and temporary closure of businesses. In an effort to

prevent the spread of COVID-19 in Kansas pre-Kindergarten through 12 grade schools the KDHE works with schools, health care providers and local health departments to identify persons infected with COVID-19 in an effort to stop the spread of the disease.

To contain and mitigate the COVID-19 pandemic, widespread, rapid testing is key. Rampant and efficient testing determines who has the virus and who may be at risk of transmitting the virus and allows for effective management of isolation and quarantine activities for the infected or exposed. Additionally, the identification of the virus that causes influenza A and B with similar presentation to COVID-19 disease helps with rapid identification and treatment.

Therefore, pursuant to the authority vesting in me pursuant to K.S.A. 65-101 and 65-128, to prevent the introduction of infectious or contagious disease into this state and to prevent the spread of infectious or contagious disease within this state, a state-wide standing order for a COVID-19 and influenza test is hereby issued which would alleviate a patient from having to get an order from their health care provider and would enable the patient to obtain a test at a pre-Kindergarten through 12th grade school participating in a KDHE testing program.

This standing order allows individuals to undergo testing for SARSCoV-2 and human influenza A and B testing at the following COVID-19 collection sites in the State of Kansas:

- Mass and mobile testing units operated by KDHE
- The following types of locations operating under KDHE-sponsored testing programs
 - o Private and Public Pre-Kindergarten through 12th grade Schools

This Order also authorizes the collection site that submitted the specimen for diagnostic testing under this Order to receive the results of the test directly from the testing laboratory. This Order further authorizes the laboratory that performed the diagnostic test to provide test results directly to the individual who was tested, with the individual's consent. KDHE will not be responsible for providing test results directly to the individual who was tested or directly to their physician.

1. Any individual, irrespective of their state of permanent residence so long as the specimen collection occurs at the collection sites listed in this standing order, may obtain testing without exhibiting symptoms of COVID-19.

2. Prior to collecting the specimen from the individual being tested, the collection sites shall provide appropriate educational information to the individual or their guardian, which shall include but is not limited to the following:

A. Obtaining the individual's informed consent, or the informed consent if the individual's guardian on behalf of the individual, to receive testing and have the results shared with public health,

B. Written information on how and when the individual will receive test results; and

C. Written information on next steps to take following testing, including information on how to obtain follow-up medical care and to address questions about diagnosis if they test positive for COVID-19 or influenza.

D. Additionally, collection sites must provide individuals who are positive for COVID-19 with KDHE recommendations for isolation of cases and information about contacting their county local health departments for county specific isolation requirements. Collection sites must provide individuals known to be close contacts of individuals with laboratory-confirmed COVID-19, as defined above, with written information on KDHE recommendations for quarantine of close contacts and information about contacting their county local health department for county specific quarantine requirements.

3. Collection sites may collect specimens for SARS-COV-2 and human influenza A and B diagnostic tests approved by the U.S. Food and Drug Administration ("FDA"), authorized by the FDA through an Emergency Use Authorization. Collection sites must also adhere to federal guidance outlining requirements for COVID-19 laboratory reporting. Collection sites must follow appropriate guidelines to collect a specimen:

A. Ensure correct testing materials according to manufacturer instructions and the laboratory that will be performing the test.

B. Ensure appropriate personal protective equipment for testing facility staff to administer the test, including gloves, gowns, N95 respirator (or surgical mask if respirator not available), and eye protection (goggles or face shield).

C. Specimens must be collected by licensed health care provider or other appropriately trained and supervised personnel. Specimens may also be collected by individuals themselves under the supervision of a licensed health care provider at the collection site if the FDA authorization allows for such a collection.

D. Follow manufacturer-specific and/or laboratory-specific instructions for specimen collection.

E. Follow CDC guidelines for Collecting, Handling, and Testing Clinical Specimens for Persons for Coronavirus Disease 2019, as amended and supplemented.

F. Ensure that laboratories conducting diagnostic tests on the specimens being collected under this Order report test results to the testing site that collected the specimen as soon as practicable.

G. The collection site must furnish results to the individual as soon as possible after results are received, but no later than one business day after the collection site's receipt of the test results and provide the test result to the individual's primary care provider, if known.

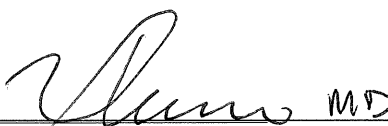
H. Collect complete information on the individual consistent with KDHE guidance, including the name and contact information of the individual's primary care provider.

5. Collection sites must report positive and negative COVID-19 test results to the KDHE in a manner prescribed by the KDHE within 24 hours. Influenza test results are not reportable to KDHE.

This standing order shall take effect immediately and shall remain in force and effect for the duration of the public health emergency unless otherwise modified, supplemented and/or rescinded.



Janet Stanek, Acting Secretary
Kansas Department of Health and Environment



Ximena Garcia, Acting Secretary
Kansas Department of Health and Environment

Dated: December ____, 2022